

*Child Nutrition Program Waiver Request
Maine Child Nutrition DOE
Base year application review*

Submitted January 3, 2022

Revised January 31, 2022

1.State agency submitting waiver request and responsible State agency staff contact information:

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2. Region: Northeast

3. Eligible service providers participating in waiver and affirmation that they are in good standing: This would be for the Maine State Agency, Maine Department of Education Child Nutrition (MDOE) SFAs in good standing.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]: Maine is offering lunch and breakfast at no cost for all enrolled public-school students beginning SY23. Parents have not felt the need for applications in the past 2 years and we project the same attitude SY23. Maine is encouraging all public schools to use USDA Special Provision 2, SY23. This would mean an Meal Benefit Application review of estimated 160 SFAs (73% of the districts) the base year.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]: 7 CFR 210.18(f)

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring: Maine will continue to require SFAs to complete the “Maine Agreement for Special Provision 2 Participation” which requires approval by the State Agency. Maine will monitor as part of the Administrative review process SFAs scheduled for an Administrative Review. Districts not scheduled for an Administrative review will be evaluated based on risk. High risk indicators would be past review finding, external audit findings, change of key staff reports from community of concerns. The high risk SFAs will be listed for contacting and or application review. Due to the confidentiality the use of outside sources is not an option. Maine will attempt to review at least

33% of the districts with current resources. Maine will provide training in form of recorded webinars, spreadsheets, written guidance. Maine will use the USDA tools provided including the FA worksheets for Provision 2. Administrative Review application errors from any year must go back to the base year, which the USDA spreadsheet does. Application approval errors will result in claiming errors for all following years. FA will result for each year of application error. Maine will educate SFAs about application errors and to use caution when approving applications. This is included in the trainings and handouts to SFA administration. Reminders and tips will be included in our weekly update to SFAs.

There are no anticipated impacts on technology or state systems. There will be an impact for all programs on staffing demands.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]: There are currently no state level regulatory barriers that would impact this issue.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation: The only challenge is communication/training as usual. Staff hours and their regular scheduled activities.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]: The only additional cost MDOE anticipates is the hiring of additional staff to complete other tasks reviewers would normally do, but this is limited due the complexity of our programs.

10. Anticipated waiver implementation date and time period: Start date upon approval by FNS/USDA or 7/1/2022 whichever comes first. End date June 30, 2023,

11. Proposed monitoring and review procedures: MDOE staff will continue to monitor the implementation of this waiver. To ensure program integrity for all programs, MDOE will, to the maximum extent practicable, continue monitoring activities of program operations for misuse of funds and fraudulent activities. This includes conducting desk reviews, regular sponsor communication, social media checks, and regional organization meetings. Staff is unable to make site visits due to Maine Executive Orders, employee safety and Maine directives. Child Nutrition communicates daily at the Child Nutrition team level, weekly Department meetings, weekly MDOE leadership meetings and monthly MDOE directors' meetings. Information is about district changes and issues among the districts is shared at these meetings. The Director of Child Nutrition attends the weekly district business managers meeting currently and works with the Maine School Management Association.


The small staff of Maine is at maximum capacity managing Federal and State requests, hunger advocates, local District administration and monitoring all of our programs, CACFP, NSLP, SFSP, and USDA Food. A list will be maintained by director of high-risk districts as defined in

our Policy approved by NERO. Risks in part include staff turnover, media reports, parent reports, legal reports, vendor reports and audit findings. All districts deemed high risk will be recorded as such and appropriate action will be determined such as calls, desk audit and/or assigned to an on-site visit as soon as possible.

12. Proposed reporting requirements (include type of data and due date(s) to FNS): Within 1 year after the date the waiver is approved, MDOE will report a summary of the use of this waiver by MDOE and a description of whether and how this waiver resulted in improved services to program participants.

13. Link to or a copy of the public notice informing the public about the proposed waiver [Section 12(l)(1)(A)(ii) of the NSLA]: This will be shared on the MDOE Child Nutrition website. <https://www.maine.gov/doe/schools/nutrition/unanticipatedschoolclosure>

14. Signature and title of requesting official:

Title: Director Child Nutrition 

Requesting official's email address for transmission of response:
walter.beesley@maine.gov

TO BE COMPLETED BY FNS REGIONAL OFFICE:

FNS Regional Offices are requested to ensure the questions have been adequately addressed by the State agency and formulate an opinion and justification for a response to the waiver request based on their knowledge, experience and work with the State.

Date request was received at Regional Office:

Check this box to confirm that the State agency has provided public notice in accordance with Section 12(l)(1)(A)(ii) of the NSLA

Regional Office Analysis and Recommendations:

Child Nutrition Programs Monitoring and Oversight Plan Checklist

